

ATTORNEYS AT LAW

Sioux Falls Office

Steven M. Johnson
Scott N. Heidepriem*
A. Russell Janklow
Scott A. Abdallah*
Ronald A. Parsons, Jr.
Matthew T. Tobin
Tamara A. Wilka
Shannon Falon
Kimberly J. Lanham
Brendan V. Johnson

*Also Admitted in Minnesota

**Johnson, Heidepriem, Miner,
Marlow & Janklow, L.L.P.**

431 North Phillips Avenue, Suite 400
Sioux Falls, South Dakota 57104-5933

Mailing Address:

P.O. Box 1107
Sioux Falls, South Dakota 57101-1107

Telephone (605)338-4304 • FAX (605)338-4162

Reply To: Sioux Falls

February 15, 2005

Yankton Office

Steven M. Johnson
Celia Miner **
Michael F. Marlow
Sheila S. Woodward**†
Steven K. Huff**
Debora L. Gruhn

Gerald L. Reade
of counsel

P.O. Box 667
200 West Third Street
Yankton, SD 57078-0667
Telephone (605)665-5009
FAX (605)665-4788

**Also Admitted in Iowa
†Also Admitted in Nebraska

Chief Judge Lawrence L. Piersol
UNITED STATES DISTRICT COURT
400 S. Phillips Avenue, Suite 202
Sioux Falls, SD 57104

RE: *Abourezk et al. v. ProBush.com, et al.*
Civ. No. 03-4146

Dear Chief Judge Piersol:

Pursuant to the Court's February 2, 2005 Order, the parties have conferred on the issue of the addition of Ben Marino and Michael Marino as Defendants. As the result, Defendant ProBush.com has elected to withdraw its opposition to the Plaintiffs' motion to add the Marinos as Defendants and does not object to the filing of the Amended Complaint as attached to the motion. Please do not hesitate to contact me should the Court have any questions or concerns.

Very truly yours,



RONALD A. PARSONS, JR.
For the Firm

RAP:lms

cc: Mr. Michael Marino
Mr. Todd Epp